



CITY OF  
LOS ANGELES  
CALIFORNIA



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## WEST HILLS NEIGHBORHOOD COUNCIL

### JOINT BOARD AND ZONING & PLANNING COMMITTEE ONLINE AND TELEPHONIC MEETING AGENDA

**Tuesday, February 9, 2021 @ 6:30 p.m.**

This meeting of the West Hills Neighborhood Council Zoning & Planning Committee will be conducted online via Zoom Webinar and telephonically. All are invited to attend and participate.

**To attend online** via Zoom Webinar, or paste the following link into your browser:

<https://us02web.zoom.us/j/94979394001>

**To call in by phone**, dial (669) 900-6833, punch in this Webinar code when prompted: **94979394001** and then press #.

This meeting is open to the public. Comments on matters not on the agenda will be heard during the Public Comment period. Those who wish to speak on an agenda item will be heard when the item is considered.

- |    |  |   |
|----|--|---|
| 1. | Call to order  | Mr. Bill Rose, Co-Chair<br>Mrs. Charlene Rothstein, Co-Chair  |
| 2. | Establish Quorum   | Ms. Faye Barta, Secretary   |
| 3. | Comments from the Co-Chair(s)  | Mr. Bill Rose, Co-Chair<br>Mrs. Charlene Rothstein, Co-Chair  |
| 4. | Approve the minutes from January 25, 2021  | Ms. Faye Barta, Secretary   |
| 5. | Public Comments on Non-Agenda items  |   |
|    | <b><u>Old Business:</u></b>  |   |
| 6. | Discussion and possible action on a request for a zone change from (QC1-1VL and (Q)C4-1VL to C4-1VL for the property at 6400-6534 Platt Ave., West Hills (Platt Village Shopping center) | Mr. Bill Rose, Co-Chair<br>Mrs. Charlene Rothstein, Co-Chair<br>Ms. Sheryl Brady, Sr. Entitlement Manager, Permit Place |
| 7. | Discussion and possible action regarding the West Hills Crest Residential Project, Project #98123 Tentative Tract Map No 52652   | Mr. Bill Rose, Co-Chair<br>Mrs. Charlene Rothstein, Co-Chair<br>Mr. Bob Lancet, West Hills Homeowners Association Inc.  |

**New Business:**

- |     |  |  |
|-----|--|--|
| 8.  | Discussion and possible action regarding a proposal for a senior living facility located at 6601 Valley Circle Blvd. and Kittridge, West Hills | Mr. Bill Rose, Co-Chair<br>Mrs. Charlene Rothstein, Co-Chair<br>Ms. Heather Waldstein<br>Rosenheim & Associates<br>Mr. Bob Lancet, West Hills<br>Homeowners Association Inc. |
| 9.  | Discussion and possible action regarding AB3308 and Council File 20-0002-S109  | Mr. Bill Rose, Co-Chair<br>Mrs. Charlene Rothstein, Co-Chair   |
| 10. | Adjournment - Next meeting Tuesday March 9, 2021   |  |

**Public input at Neighborhood Council meetings:** When prompted by the presiding officer, members of the public may address the committee on any agenda item before the committee takes an action on the item by punching in \*9 (if calling in by phone) or by clicking on the “raise hand” button (if participating online through Zoom) and waiting to be recognized. Comments from the public on agenda items will be heard only when the respective item is being considered. Comments from the public on matters not appearing on the agenda that are within the committee’s jurisdiction will be heard during the General Public Comment period. Please note that under the Ralph M. Brown Act, the committee is prevented from acting on a matter that you bring to its attention during the General Public Comment period; however, the issue raised by a member of the public may become the subject of a future committee meeting. Public comment is limited to 2 minutes per speaker, unless adjusted by the presiding officer of said committee.

**Notice to Paid Representatives** - If you are compensated to monitor, attend, or speak at this meeting, city law may require you to register as a lobbyist and report your activity. See Los Angeles Municipal Code §§ 48.01 et seq. More information is available at [ethics@lacity.org/lobbying](mailto:ethics@lacity.org/lobbying). For assistance, please contact the Ethics Commission at (213) 978-1960 or [ethics.commission@lacity.org](mailto:ethics.commission@lacity.org)

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**Public Access of Records:** In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the board in advance of a meeting may be viewed at the meeting where such writing was considered or by contacting the WHNC’s executive director via email at [Michelle.Ritchie@westhillsnc.org](mailto:Michelle.Ritchie@westhillsnc.org) Requests can be made for a copy of a record related to an item on the agenda.

**Reconsideration and Grievance Process:** For information on the WHNC’s process for board action reconsideration, stakeholder grievance policy or any other procedural matters related to this Council, please consult the WHNC Bylaws. The Bylaws are available at our website, [www.WestHillsNC.org](http://www.WestHillsNC.org).



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**WEST HILLS NEIGHBORHOOD COUNCIL  
JOINT BOARD AND ZONING & PLANNING COMMITTEE MEETING  
DRAFT MINUTES**

**Monday, January 25, 2021 at 6:30 P.M.**

1. Call to Order at 6:33 PM by Co-Chair Bill Rose.
2. Quorum established.  
Committee Members Present: Aida Abkarians, Faye Barta, Dan Brin, Bob Brostoff, Carolyn Greenwood, Bonnie Klea, Saif Mogri, Steve Randall, Bill Rose, Charlene Rothstein, Anthony Searce, and Joan Trent.  
Committee Member Absent: Myrl Schreiber, Alec Uzemeck  
Board Members also present: Brian Begun, Marie Javdani, Daniel Osztreicher, Brad Vanderhoof, Tariq El-Atrache, Tom Booth, Olivia Naturman  
Members of the Public Present: Steve Crosby, Melody Forsythe, and 26 members of the public.
3. Comments from the Co-Chair(s):  
Bill Rose asked if everyone on the committee has completed the Planning 101 training. Aida Abkarians stated that she still does not have confirmation of having completed the training. Daniel Osztreicher asked if everyone is required to take this training. Bill Rose advised that it is required for the members of the Zoning and Planning Committee but is useful for any Board members. Bill Rose also advised that because of our loss of Margery Brown there is a position open on the committee. Anyone interested in being on the committee should email he or Char Rothstein.  
Char Rothstein advised that there will be a hearing on the El Camino Shoup school but a letter on the hearing has not been posted. She advised that it will be posted when received. Char asked Brian Begun if he wanted the noise ordinance be on the February 9th agenda. Brian stated he has not had an opportunity to speak to his neighbors but will get back to Char.
4. Minutes of December 8, 2020 were approved as amended.
5. Public Comment on Non-Agenda Items:  
Chris Rowe stated that she heard the announcement of the vacancy on the committee and will send a letter requesting to be considered for the vacancy.

**Old Business:**

6. Discussion and possible action on "Building a Safer Los Angeles" – Council File 19-0603  
Steven Crosby advised that they (he and Melody Forsythe) hope to answer any questions and they hope for a vote of support tonight. Bill Rose advised that a sub-committee was formed (Bill, Brad and Saif) to review this matter and the consensus is that there are experts in this field and it needs to be left to the experts. Char Rothstein advised that she looked at the Council File and in the beginning most

of the comments were positive but now there appears to be opposition particularly from the organization Abundant Housing LA. There was much back and forth discussion on how to address this including having a meeting with experts. The final decision was that the committee agrees with the subcommittee and that we are not in a position to vote on this issue.

7. Discussion and possible action on LAUSD's proposal for the Highlander Road school site, a proposed Letter and possible meeting with LAUSD.  
Chair of the sub-committee Faye advised that a meeting was held with the community and of the 100 that attended only one was in favor of what LAUSD has proposed. The attached letter outlines the concerns of the community. There was much back and forth discussion on things such as the tone of the letter and that more of the community needs to be involved before we can go forward. Faye again spoke of the shortness of time within which LAUSD was going to make its decision. There were members of the public present who were opposed to sending the letter. After more discussion, Faye moved that the proposed letter be forwarded to the WHNC Board. **Motion passed** with ten (10) yes votes and two (2) no votes.
8. Discussion and possible action on a request for a zone change from (Q)C1-1VL and (Q)C4-1VL to C4-1VL at 6400-6534 Platt Ave., West Hills (Platt Village Shopping center)  
Char advised that she spoke to Laura at City Planning and was told that the application for this change was not complete. Sheryl Brady and Mick Meldrum spoke about why the zone change is necessary to attract new tenants. Sheryl said there were just lots of things necessary to complete the application. Char stated that we need to table this until we have more information. Item moved to February 9<sup>th</sup> meeting.

#### New Business:

9. Discussion and possible action regarding Council File 21-0002-S18 & S21 – City opposes SB9 (Atkins) and SB10  
Bill advised that SB9 and SB10 would take control from the local governments and is the reason there is opposition to the legislation. **Motion to oppose SB9 and SB10 and preparing a CIS in support of the motion passed unanimously.**
10. Discussion and possible action regarding future use of the site at 23133 Sherman Place, West Hills  
Char said this was her mistake and this item should be under old business. It is said that the parcel is up for 41/2M and the hospital is interested in purchasing it. Bill stated he has heard negative feedback from neighbors as they are saying they heard it is going to be a homeless shelter. Char stated the hospital envisioned utilizing it for possibly more physicians' offices, a recuperative care facility or something hospital related. Olivia advised that this parcel was submitted to CD12 as a possible site for some type of homeless facility. However, this was just one of several sites sent forward and CD12 has made no decision and there are no plans in the works. There was more back and forth discussion.
11. Adjournment – 8:06 PM. Next meeting will be February 9, 2021.



January 18, 2021

Marie Pavlovic  
Los Angeles County Department of Regional Planning  
Land Divisions Section  
320 W. Temple Street  
Los Angeles, CA 90012

Dear Marie:

**Re: West Hills Crest Residential Project (“Project”), Project No. 98123, Vesting Tentative Tract Map No. 52652, Conditional Use Permit No. 98123, Oak Tree Permit No. 98123, Environmental Assessment No. 2019002981**

On behalf of the Las Virgenes Homeowners Federation, Inc., (Federation) we respectfully submit the following comments to be addressed in the EIR for the above referenced proposed Project. These are in addition to or a reiteration of the comments we submitted at the Scoping Meetings, and we concur analyzing in full the environmental effects of the Project the County has already outlined and identified - i.e. biological resources, cultural resources, etc.

Please note to avoid confusion, references to the proposed West Hills Crest Residential Subdivision Project are referred to as the *Project* and references to the established community of Westhills are referred to as *Westhills*.

### **Density**

We disagree that this is a “low density single family residential proposed development”. Ongoing efforts to densify single family neighborhoods are the overriding goals of the State legislature. Environmental impacts must be analyzed that address additional density since the County and the public have little control over what the next and upcoming “by-right” State housing bills will allow and permit including that VHFHSZs are not exempt or that can be easily manipulated around. Returning bills like SB 1120 for

example allow a four-plex by-right to replace a single-family home. And, certainly there is no argument that the legislature is now laser focused on converting low density, single family neighborhoods into so called more affordable multi-family neighborhoods.

Also, group homes as permitted by-right by the State must be factored in and their ability to request a CUP from the County for additional patients. There is no exclusion for single ingress/egress or VHFHSZs. The impacts of the potential conversion of these single-family homes to group homes must be fully analyzed in the EIR -- particularly in this proposed subdivision which is on a single ingress/egress leading into another neighborhood and adjacent to wildland open space. We know from experience what environmental havoc these commerce conversions create with number of patients, employees, food and other deliveries, trash buildup, noise, light, evacuation, and traffic impacts -- including on wildlife.

To compound these matters, there is a large preliminary commercial development project pending, the West Hills Senior Living Facility, at the bottom of Kittridge that will without question bottleneck traffic and add significantly to the traffic impacts on this single ingress/egress. (See photos below). The EIR must evaluate this site for added density and development for any potential project that might be proposed and allowed here and all of the cumulative traffic impacts studied.

#### Site Plan

- Proposed Use: Assisted Living
- Total Residential Units: 124
- Total Parking Stalls: 91
- Max. Building Height: 35' above grade.



View from Kittridge Street  
Preliminary Massing Model

### **Access. Piggybacking. Single Ingress-Egress. Cumulative Traffic Impacts.**

This proposed Project, is not a single-family home, but, an entirely new subdivision of 25 homes plus added density, and it has no access onto a major highway or roadway of its own.

It therefore is solely dependent upon **piggybacking** on the access of an established community, or in other words access is through another community first to reach a major roadway and in a VHFHSZ.

That should disqualify this proposed Project in and of itself. Even worse, it is a **single ingress-egress** that already surpasses the current allowable standards for the neighborhood it serves. Thus, adding the burden of an entirely new subdivision and all of its traffic -- during construction and post construction -- and during emergency evacuation in a Fire or other order -- creates significant impacts for Westhills and on the environment that must be analyzed. How can a consideration be made to create a new subdivision that has no principal access, that is required instead to empty onto another community's only single ingress-egress access to get to a major roadway?

Add to that, the fact that the Board of Supervisors has prohibited new development -- ADU's and JADU's -- in the Westhills community in the County's new ordinance because of the danger of added density on their single ingress/egress neighborhood. So, then how can an argument be made to consider creating an entirely new subdivision utilizing the same single ingress/egress rationale? Building a new subdivision here makes no sense and is in conflict with the County's own policies.

Also, because the Project juts into parkland -- it abuts the public's treasured and sensitive Upper Las Virgenes Canyon Open Space Preserve (Open Space Preserve), Knapp Ranch Park, and El Escorpián/Bell Canyon Park, traffic will wreak impacts on the environment. Because the development is spread out over 22 acres, and not clustered, the impacts will be more significant on wildlife who are extremely sensitive to automobile noise and light. In the NAP for example, parking for special events must be situated so that automobile headlights are turned away from neighbors and habitat.

**Inconsistency with County's Land use Policies. Conflict with Post Woolsey Fire Policies. Development in the WUI. Urban Sprawl. Fire. Lighting, Noise Impacts.**

The construction of a mega-mansion subdivision like this in a VHFHSZ that pushes the Wildland Urban Interface (WUI) further into open space parkland and up onto ridgelines, flies directly in the face of and in conflict with the County's own post Woolsey fire land-use prohibitions and goals in VHFHSZs.

The County has banned new subdivisions in the Santa Monica Mountains -- in the Local Coastal Program (LCP), and in the Updated North Area Plan (NAP). This includes the NAP that is adjacent to one side of the Open Space Preserve where this subdivision proposal would be prohibited and yet it is being considered here on another adjacent side of the Open Space Preserve.

This is wholly inconsistent because it is the same open space, same eco-system, same landscape, and the same VHFHSZ designation. The EIR should consider the *After Action Review of the Woolsey Fire Incident* Report recommendations, the latest fire science from fire ecologists like Dr. Jon Keeley of the USGS, and Marti Witter of the NPS, as well as the latest input from the recent consultants hired by the Department of Regional Planning.

Urban sprawl has been identified as the number one cause of new Fire risk. This Project is surrounded by parkland on three sides and epitomizes the absolute worst kind of WUI intrusion as is evidenced by the SMMC's photos below.



The EIR should address the plethora of urban sprawl impacts associated with this Project -- including new Fire risk impacts to the public's open space, on wildlife and wildland resources and on the community of Westhills.

Post Woolsey fire, and due to climate change, and drought, wildfire risk and development policies have changed dramatically. For example, we are currently in an extreme red flag warning again - January 18, 2021, with the possibility of wind gusting to 70 mph (see LA County Fire emergency notice below) which prohibits fixed wing aircraft from even engaging in fire combat. We have only had one rain event this season. SCE will be invoking their PSPS shutoffs and residents will be losing power. And the County's super scoopers aircraft were only on contract until the end of November (when red flag warnings and Santa Ana winds used to no longer be a threat thereafter). This is clearly outdated and indicative of why the wildfire risks must be fully addressed.



**NEWS RELEASE**

**EXTREME SANTA ANA WINDS UPGRADED TO RED FLAG WARNING, INCREASING WILDFIRE RISK FOR LA COUNTY**

Los Angeles, CA – The Los Angeles County Fire Department has implemented its augmented staffing plan in response to the National Weather Service's red flag warning which is in effect from late tonight through Tuesday, January 19, 2021 at 10:00 p.m.; a high wind warning begins early tomorrow morning through Wednesday, January 20, 2021 at 4:00 a.m. Widespread portions of Los Angeles County are affected, including the areas of Santa Clarita, the high country, Los Angeles basin, and the Santa Monica Mountains, extending to the coast and Catalina Island.

In some areas, this strong and dangerous Santa Ana wind event may develop extreme wind gusts between 50 to 70 miles per hour (with isolated, stronger gusts up to 90 miles per hour in the mountains). Warm temperatures and low humidity are expected in canyon, mountain, and valley areas.

This extreme wind event has resulted in an elevated high fire danger, prompting Los Angeles County Fire Chief Daryl L. Osby to order additional staffing and pre-deployment of resources throughout the County.

At this time, we remind residents living in wildfire prone areas to take appropriate precautions:



The Fire season is longer and more enduring, Fire is clearly more fierce with wind driven Fire more prevalent, and Fire is more frequent due once again to drought and climate change and is projected to get worse. Native vegetation can no longer replenish itself like it once did.

The Fire Department's outdated approval from 2007 should already have been rescinded and the Project must be re-evaluated with today's stricter Post Woolsey standards and criteria. In wind driven fires it has been established that Fire Brands (embers) that can travel miles are the primary cause of wildfire spreading and structural damage. Therefore, the Project will not provide a significant fire buffer as argued in the outdated 2007 fire Department approval of the 25 home development. This area has burned 5 times, and it will burn again, and it will cost the County significantly more dollars and resources now to fight a huge non-clustered 25 home subdivision spread out like it is (25 lots totaling 22 acres) and located where it is surrounded by open space and on prominent ridgelines.

And, it will convert and divert critical fire-fighting resources away from the Westhills community and put them at greater risk.

Furthermore, this Project will increase the risk of wildfire on public lands and on wildlife.

Brush clearance impacts for 25 dispersed structures would be significant with a 200-foot clearance required currently.

### **Fire/Emergency Evacuation**

The Federation supports and concurs with the Westhills Homeowners Association and their data and fact driven analysis of the evacuation impacts as submitted, *Limiting Development of Single Access Road Communities*. Also, potential animal evacuations should be added to the analysis. We know very well from our own experience in other VHFHSZ communities that evacuating horses and other large animals in an emergency, competing with vehicles and fleeing residents and incoming ground fire fighting vehicles, on a single ingress/egress access is pandemonium and dangerous business. If a horse trailer tips over and blocks the road then it prevents and or impedes evacuation and incoming fire-fighting resources on this single ingress-egress.

### **Animal Keeping. Fencing. Horses.**

Will horse keeping and/or other large animals be an acceptable use? And, if so, aside from the evacuation concerns, full enclosures are now required in the NAP for all animals except horses to protect mountain lions and other predators. Will enclosures be required? What are the impacts otherwise? Will the horses surrounded on three sides by open space in essence be a lure for mountain lions who then will suffer the consequences despite their status as threatened under the Endangered Species Act? How will night light impacts from horse/animal keeping affect the surrounding natural areas?

Permeable fencing is also required in the County's other unincorporated mountainous areas -- in the LCP and the NAP.

### **Rodenticides.**

Expanding the WUI and protruding as this subdivision does into the midst of the Open Space Preserve, the Project undeniably brings many other impacts closer and into wildlife habitat including pesticides, most notably rodenticides into the food chain. Rodenticides go hand in hand with urban sprawl and these poisons will move up the food chain and eventually poison the larger predators like mountain lions, bobcats, and coyotes. AB 1788 is not an encompassing effective rodenticide regulation.

### **Negative Viewshed Impacts**

As designed, this Project negatively impacts the public's viewshed including the view from Valley Circle Boulevard, a designated Scenic Corridor. There are 2 key and prominent topographical view features on this site that must be preserved but the proposed Project eliminates both features and makes no attempt to preserve the viewshed. We concur with the SMMC in disagreeing with the Initial Study conclusion that the Project would not result in unavoidable significant adverse visual impacts.

### **Massive Grading Impacts**

Clearly nearly a million cubic yards of grading is an extraordinary amount of disruption and these significant dirt and landscape alterations will affect wildlife habitat and movement as well as impact all of the flora and fauna in the adjacent Open Space Preserve. Grading spread out over 22 acres furthermore results in more impacts instead of being constrained to a much smaller development footprint. The community of Westhills will also be impacted significantly by grading of this magnitude. And again, all construction vehicles, etc., must in essence utilize this community's ingress/egress because this Project has no independent main access of its own.

### **Infrastructure - Utilities**

We disagree with the determination that there is not a likelihood of potentially significant effects related to Utilities. The EIR must evaluate infrastructure because infrastructure, principally the utility SCE, has been identified as the single biggest contributor to wildlife risk via urban sprawl. If SCE is not compelled to underground their wires, the impacts will be significant and if they are compelled to underground, the biological resource impacts will be significant.

### **Open Space. Parkland. Rare, Threatened, and Endangered Species.**

How will this Project impact the public's open space parkland and its wildland resources? The impacts of this Project on public's resources are unavoidable and

cannot be mitigated. There are several protected plant and animal species that must be carefully studied, including, the red legged frog which according to the CDFW has a mile and a half range -- and there are known populations of the San Fernando Valley spineflower on the Open Space Preserve.

The entirety of the Project site and all of the adjacent public open space is mountain lion habitat. The CA mountain lion will likely attain permanent threatened status this year under the Endangered Species Act -- and this Project will impact mountain lion habitat and connectivity. The EIR should study what new conditions will be applicable when this status designation is achieved to protect the cougar and its habitat.

### **Trees**

At a time when the County is expanding its protections for native trees as per the NAP, and due to the serious impact of repeat fire, drought, and the bark beetle, there are far too many native oak tree removals associated with this Project.

This massive Project proposal is seemingly from a bygone era -- decades prior -- because it is flagrantly blind and tone deaf to the actual site constraints and conditions that exist today, to the unmitigable impacts on the public's resources, the wildlife and habitat, the established community of Westhills, and to the County's regulations. This is not simply a single home proposal but a 25 mega-mansion subdivision monstrosity on 22 acres surrounded by treasured parkland. The public fought long and hard to attain Ahmanson Ranch (Open Space Preserve) and millions of dollars of public funds have gone into saving it from exactly this over-the-top destruction.

There is no, "let the land dictate the type and intensity of use" here, it is the bully project that bulldozes almost a million cubic yards of earth and removes landscape formations to create its own site. It demonstrates exactly why new subdivisions are banned in the County's other unincorporated VHFHSZs in NAP and the LCP. Further it has zero regard for the established community of Westhills -- attempting to piggyback on and consume its access -- endangering its residents in emergency and evacuation situations and exposing them and the Open Space Preserve to significant new risk and threat of fire -- with a new subdivision of dispersed mega mansions to defend surrounded by open space and parkland -- costing the County significant new dollars to defend and consuming and re-directing fire-fighting resources away from Westhills.

Thank you for the opportunity to submit comments. This is urban sprawl and WUI intrusion at its worst and we trust that the EIR will carefully analyze each and every environmental impact and effect.

Sincerely,  
Kim LAMORIE  
President  
Las Virgenes Homeowners Federation, Inc.



**AB-3308 School districts: employee housing.** (2019-2020)

SHARE THIS:  

Date Published: 09/30/2020 09:00 PM

**Assembly Bill No. 3308**

CHAPTER 199

An act to amend Sections 53571, 53572, and 53574 of the Health and Safety Code, relating to housing.

[ Approved by Governor September 28, 2020. Filed with Secretary of State September 28, 2020. ]

LEGISLATIVE COUNSEL'S DIGEST

AB 3308, Gabriel. School districts: employee housing.

The Teacher Housing Act of 2016 authorizes a school district to establish and maintain programs, as provided, that address the housing needs of teachers and school district employees who face challenges in securing affordable housing and requires a program established by the act to be restricted to teachers and school district employees. The act creates a state policy supporting housing for teachers and school employees, as provided, and permits school districts and developers in receipt of local or state funds or tax credits designated for affordable rental housing to restrict occupancy to teachers and school district employees on land owned by school districts.

This bill would specify that the state policy created by the act includes permitting school districts to restrict occupancy on land owned by school districts to teachers and school district employees of the school district that owns the land, including permitting school districts and developers in receipt of tax credits designated for affordable rental housing to retain the right to prioritize and restrict occupancy on land owned by school districts to teachers and school district employees of the school district that owns the land, so long as that housing does not violate any other applicable laws. The bill would specify that a school district may allow local public employees or other members of the public to occupy housing created through the act, and would provide that the school district retains the right to prioritize school district employees over local public employees or other members of the public to occupy housing.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** The Legislature finds and declares all of the following:

(a) The changes made by this act are necessary in order to provide affordable housing opportunities to teachers and other school district employees in a manner that benefits students and the people of California.

(b) California places a high value on our public education system, and the stability of housing for school employees of school districts and the public education system in California is critical to the overall success and stability of each school in California.

(c) A significant trend driving teacher turnover is the steadily increasing cost of housing in the state. California has 6 of the nation's 15 most expensive large metropolitan rental markets, and since 2015, rents have risen from 36 to 60 percent in those areas. Rents have also risen in the state's inland and rural communities while home prices continue to escalate statewide. This turnover harms schools, school districts, and our public education system.

(d) Teachers and school employees, especially in coastal and urban areas, are struggling with housing prices and instability. In nearly 40 percent of reporting school districts, first-year teachers cannot afford an average one-bedroom apartment. Many employees are forced to live far from the communities they teach in, and endure grueling supercommutes to their workplace.

(e) Students, school districts, the local community, and the people of the state of California are benefited by teachers living in the community in which they practice their profession. It ensures stability and community involvement, and facilitates stronger ties between teachers, their students, and their families.

(f) By creating affordable housing options for teachers near or on school sites, it also reduces vehicle miles traveled and time away from teachers' homes, thereby reducing or eliminating commute time. This leads to fewer emissions, better air quality, an improved environment, and a higher standard of living in a manner that benefits the people of the state of California.

**SEC. 2.** Section 53571 of the Health and Safety Code is amended to read:

**53571.** (a) The purpose of this part is to facilitate the acquisition, construction, rehabilitation, and preservation of affordable rental housing for teachers and school district employees to allow teachers or school district employees to access and maintain housing stability.

(b) A program established under this part shall be restricted to "teacher or school district employees," except that a school district may allow local public employees or other members of the public to occupy housing created through this part, subject to applicable laws and regulations.

(c) A school district shall retain the right to prioritize school district employees over local public employees or other members of the public to occupy housing.

**SEC. 3.** Section 53572 of the Health and Safety Code is amended to read:

**53572.** As used in this part:

(a) "Affordable rental housing" means a rental housing development, as defined in subdivision (d) of Section 50675.2, with a majority of its rents restricted to levels that are affordable to persons and families of low or moderate income, as defined in Section 50093, but neither definition is restrictive to only projects with five or more units.

(b) "Local public employees" includes employees of a city, county, city and county, charter city, charter county, charter city and county, special district, or any combination thereof.

(c) "Teacher or school district employee" means any person employed by a unified school district maintaining prekindergarten, transitional kindergarten, and grades 1 to 12, inclusive, an elementary school district maintaining prekindergarten, transitional kindergarten, and grades 1 to 8, inclusive, or a high school district maintaining grades 9 to 12, inclusive, including, but not limited to, certificated and classified staff.

**SEC. 4.** Section 53574 of the Health and Safety Code is amended to read:

**53574.** This part specifically creates a state policy supporting housing for teachers and school district employees, as described in Section 42(g)(9) of the Internal Revenue Code, and, further, permits school districts and developers in receipt of local or state funds or tax credits designated for affordable rental housing to restrict occupancy to teachers and school district employees on land owned by school districts, including permitting school districts and developers in receipt of tax credits designated for affordable rental housing to retain the right to prioritize and restrict occupancy on land owned by school districts to teachers and school district employees of the school district that owns the land, so long as that housing does not violate any other applicable laws.

**SEC. 5.** The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or

RESOLUTION

WHEREAS, an official position of the City of Los Angeles with respect to legislation, rules, regulations or policies, proposed to or pending before a local, state or federal government body or agency, must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, according to real estate analysis by EdSource, first year teachers in California could not afford a one-bedroom apartment in nearly 40 percent of 680 school districts that reported data in the year 2019 due to the State's rapidly increasing housing costs and comparatively stagnant teacher salaries; and

WHEREAS, the teacher housing affordability crisis has resulted in a teacher shortage in the State's public education system, with California having lost at least 40,000 teachers to outmigration between 2013 and 2017, which constitutes a 22 percent increase over the previous five-year period, according to EdSource; and

WHEREAS, the Los Angeles Unified School District (LAUSD) recently applied for Low Income Housing Tax Credits (LIHTC) to fund the construction of affordable housing on their land with the intention to restrict occupancy to employees of LAUSD, but their application was rejected by the California Tax Credit Allocation Committee (TCAC), who did not agree that the statute or IRS law authorizes LIHTC to be used to fund affordable housing restricted to employees of one school district; and

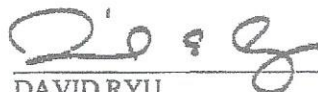
WHEREAS, Assembly Bill 3308 (Gabriel), introduced on February 21, 2020, would allow school districts to restrict occupancy of affordable housing on school district-owned land, funded with LIHTCs, to teachers and school district employees of the school district that owns the land, regardless of any laws that would prohibit a priority or preference for school district employees and teachers; and

WHEREAS, the State has passed legislation to address the housing shortage for school workers, such as the Teacher Housing Act of 2016, which allows school districts to provide affordable housing specifically for district employees and their families; and AB 1157, approved by Governor Jerry Brown in 2017, which exempts school districts from some of the usual requirements related to the sale or lease of property if it will be used for employee housing; and

WHEREAS, AB 3308 (Gabriel) would complement the State's efforts to make affordable housing accessible to school district employees by clearly establishing that individual districts can utilize their land to provide for their employees, without potentially being stopped on the grounds that a school district constitutes a single employer and therefore cannot use LIHTC funds;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2019-2020 State Legislative Program SUPPORT for AB 3308 (Gabriel), which would create a State policy supporting housing for teachers and school employees, and permits school districts and developers that have received local or State funds, or tax credits designated for affordable rental housing, to restrict occupancy to teachers and school district employees on land owned by school districts.

PRESENTED BY:



DAVID RYU  
Councilmember, 4<sup>th</sup> District

JUL 1 2020

SECONDED BY:

BOB BLUMENFIELD (verbal)  
Councilmember, 3rd District